

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND

JAMES SWEETS,

Plaintiff

v.

WARDEN,

Defendant.

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CIVIL ACTION NO. CCB-07-1437

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**MEMORANDUM**

On May 31, 2007, James Sweets, a prisoner confined in the U.S. Penitentiary-Hazelton, in Bruceton Mills, West Virginia, filed a letter request with the court, construed as a complaint filed under the Freedom of Information Act ("FOIA"), 5 U.S.C. § 552. Plaintiff seeks "any and everything under my name/or in identifier assigned to my name." Paper No. 1.

Federal courts and the clerks' offices that receive court pleadings are not "agencies" covered under the FOIA. Indeed, the FOIA does not apply to courts of the United States. *See* 5 U.S.C. § 551; *Smith v. United States District Court for the Southern District of Illinois*, 956 F.2d 647, 649 n.1 (7<sup>th</sup> Cir. 1992); *see also Cook v. Willingham*, 400 F. 2d 885 (10<sup>th</sup> Cir. 1968); *Harris v. United States*, 121 F.R.D. 652, 654 (W.D.N.C. 1988). Therefore, plaintiff's FOIA complaint shall be dismissed by separate order.<sup>1</sup>

Date: June 8, 2007

/s/  
Catherine C. Blake  
United States District Judge

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<sup>1</sup> Plaintiff did not file the \$350.00 civil filing fee or a motion to proceed in forma pauperis. In light of the dismissal of this matter, he shall not be required to cure this deficiency.